

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

CISCO SYSTEMS, INC.,
Appellant

v.

INTERNATIONAL TRADE COMMISSION,
Appellee

ARISTA NETWORKS, INC.,
Appellant

v.

INTERNATIONAL TRADE COMMISSION,
Appellee

2016-2539, -2563

Appeals from the United States International Trade
Commission in Investigation No. 337-TA-944.

ON MOTION

Before STOLL, *Circuit Judge*.

O R D E R

Arista Networks, Inc. moves to deconsolidate these appeals or, in the alternative, to expedite briefing and treat 16-2563 as the lead appeal. Cisco Systems, Inc. and the International Trade Commission oppose the motion.

Cisco and Arista each appeal from the Commission's final determination of Investigation No. 337-TA-944, in which the Commission determined that Arista infringed three Cisco patents but did not infringe two other Cisco patents. On August 26, 2016, this court consolidated the appeals.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted in part. We treat 16-2563 as the lead appeal for purposes of briefing. The briefing schedule is as follows: Arista's brief is due within two days from the date of filing of this order. The certified list is due no later than October 3, 2016; Cisco's opening brief is due within 30 days of the filing of certified list; the Commission's brief is due within 30 days of the filing of Cisco's opening brief; Arista's response/reply brief is due within 15 days of the filing of the Commission's brief; and Cisco's reply brief and the joint appendix are due within 14 days of the filing of Arista's response/reply brief. The case will be scheduled for the next available argument calendar in the usual course.

FOR THE COURT

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court